



# Cúram

Issue No. 42



IRISH ASSOCIATION  
OF SOCIAL CARE  
WORKERS

Summer 2010

**Referendum  
Now**

YES	NO
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Votes at 16**



Orchard  
Children's  
Services Ltd.

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## IASCW National Executive

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• Paula Byrne	Training & Research
• Antoinette Behan	Disabilities Rep.
• Leon Ledwidge	Education Rep.
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• Anne Morahan	Residential Rep.
• Karen Heavey	Student Rep.
• Noel Howard	Coordinator/CURAM Editor

## *Referendum Now– Yes*

A Labour & Sinn Fein motion calling for, among other things, the government to set a date for the Children's Rights referendum concluded in the Dail on Wednesday night, May 19th last. Balancing the rights of the child with the "imprescriptible" rights of the family already in the constitution and the inherent complications relating to this were again adverted to by Minister Barry Andrews in his reply to the motion. While this is undoubtedly true it is becoming a rather tired and jaded response from the government on this issue despite stated commitments at various times since 2007.

It is imperative that this important constitutional change is brought to fruition. The government has dragged its feet despite excellent work done by the all party Dail committee and further commitments given in the wake of the Ryan Report, which was published one year ago. There is a view that the government is shirking setting a referendum date because this might mean having to hold three bye elections on the same day with possible disastrous consequences for the coalition's current majority. Such politicking is unworthy of any government so vocal in its protestations about children and their rights. As expected, the motion was lost on a vote when the debate concluded.

## *Votes at 16 – No*

A proposal from the National Youth Council of Ireland was made recently suggesting that voting rights should apply at the age of 16 rather than 18, which is currently the case. This proposal forms part of the coalition's programme for government.

The IASCW executive considered this matter and agreed that such a move was both unnecessary and ultimately not in the best interests of children. This view was reiterated at the AGM in Athlone in February. We have written to Minister John Gormley who has responsibility in this area and he replied that the views of the IASCW would be taken into consideration in arriving at a decision. We have now requested a meeting with the minister to elaborate on our position. The following is the IASCW press release on the issue which outlines the reasons for resisting this proposed change. We have communicated our view to the NYCI.

### *IASCW Press Release*

**Members of our Association work mainly with marginalised and deprived children.**

**The needs of these children, exemplified in some recent tragic cases, are very far removed from whether they have the right to vote at sixteen, or not.**

**The work of our members is very often around restoring, where possible, some semblance of the experience of childhood to those up to the age of 18 for whom childhood has been fractured or cruelly stolen.**

**The campaign to extend the voting age to 16 does not appear to recognise that reality.**

**We say that, aware of the fact that many 16/17 year olds may fortunately not be in that fragile category and indeed may be very keen and interested in politics.**

**However, in law, they are all still children until they are 18.**

**For these reasons our executive (IASCW) has decided to oppose this move.**

**We have decided it on the basis of points already made.**

**We have also decided to oppose it on another very fundamental premise.**

**Such a move contradicts and upturns the view, so often expressed by child advocacy groups (IASCW included), that children should be allowed to be children. That is a major belief, principle and conviction of our organisation and we can only assume it is a major belief of all groups interested in child welfare.**

**We believe this more especially now as we live in a modern, globalised and media driven world -a world which is quickly and indeed quietly eroding the concept of childhood.**

**Extending voting rights to 16 year olds may be well intentioned, but it is a flawed suggestion. What it contributes to is a rush and a hurry into the "adultification" of children.**

**Such a move is not borne out of the needs, the safety and the uniqueness of young people. Such a move finds its roots in a different adult political reality and gain. Such a move does not put the young growing child first. It is a judgement made by adults with adulthood in mind.**

**We also believe that the timing of this move may distract and cloud the essential Children's Rights Referendum being carried. As such, the move may become a further diversion and confusion in situations where those opposed to a constitutional amendment on the rights of the child, may well argue that extending the voting age to 16 is a further erosion of the rights of the family as laid down in the constitution.**

**We believe there will be financial implications in such a move. With the current embargo and cutbacks in community and residential services for children we believe money can be better spent.**

## Sean Brennan, Oak Lodge Services.



It is with profound sadness and an extreme sense of loss that we bid farewell to Sean Brennan, who passed away on March 5th, 2010. He had been battling illness for many months with both courage and dignity in equal measure but unfortunately a recovery was not to be.

Sean was born in Raheen, Adamstown, Co Wexford. The only son of Jack and Judy Brennan, he was educated in Raheen National School and later Good Council College, New Ross. Upon leaving school he took up a post in Wexford General Hospital and a year later, when I took up a post in the hospital, I met him for the first time. We instantly became friends and he would constantly have all his colleagues "hysterical" with laughter at the things he'd do and say.

In 1984 Sean began his career in Social Care when he joined the Staff of St. Joseph's School, Ferryhouse in Clonmel (I subsequently came to St. Joseph's in 1988). His career path would see him rise rapidly to Unit Manager, when he moved to the Health Board (now the H.S.E.) in 1990 and for whom he managed numerous centres.

Eventually, Sean opened Oak Lodge Services, which, under his guidance and tutelage, has gone from strength to strength since its inception. This was his dream for many years, and he saw it through to fruition.

Sean married Jackie (Foran) in 1993 and they had three lovely children: Ciara, Niamh and Daire. He was a very devoted father, he adored his family and he loved to involve himself in every aspect of their lives. Aside from his family and his business, his other great love was his horses and the horse industry and much of his energy was targeted at this pastime.

It would be impossible to sum up Sean Brennan in this short tribute but it is fair to say that he was an unassuming man who possessed great drive and initiative. He was generous with his time, his possessions and his insight. His patience with, and encouragement of, fellow professionals, especially those new to Social Care, was a source of strength to many. Above all else, those of us who were privileged to know Sean will remember his incredible sense of fun, that winning smile, the glint in his eye and the ability to always be in good humour. He will be sadly missed by his Family and all who loved and knew him.

Rest in Peace Sean, old friend.

*Jim Walker.*

Jim Walker is a Care Manager at St. Joseph's School, Ferryhouse, Clonmel.

## IASCW Annual Award

Fr Val Collier was the recipient of the IASCW annual award at the annual conference in Athlone in February. For many years Val has worked in establishing and expanding the Don Bosco organisation in providing a range of services to benefit children in need of care and after care. Tributes were paid to Val's quiet, unassuming but yet effective approach in achieving so much in difficult circumstances. A number of Don Bosco staff were present to join with the delegates in recognition of his unique contribution in promoting and maintaining the ethos of the voluntary sector in Irish child care. The presentation, sponsored by Orchard Children's Services, was presented by John Molloy of the RMA – an organisation which has also benefited from Val's input over many years.



*John Molloy of the RMA makes the presentation to Fr. Val Collier.*



### **Don Bosco Staff & Friends**

*Back Row L-R: Martin Burke, Fr. Val, Jonathan Kavanagh*

*Middle Row: Joan Reilly, Tricia McDonnell, Rachel Valentine, Julia Doherty, Caroline Cronley*

*Front Row: Linda McGuinness, Mary O'Connor, Caitriona Clarke, Marion Martin*

## *Goodbye to Finglas Child & Adolescent Centre*

*by Colette McGee*

Or otherwise known as St. Michael's Assessment Unit, St. Laurence's School and collectively as Finglas Children's Centre.

Just to give a short history of this centre, it opened as a result of a recommendation from the Kennedy Report 1969 – which recommended that Marlborough House in Glasnevin be shut down and build a modern setting to cater for the young offenders in Ireland. This centre was to carry out assessments on these young peoples' situations and recommend placement in an appropriate setting to cater for their needs. In many cases this was in St. Laurence's for a year or two, or another appropriate intervention.

This new purposely designed building offered many new services to the young people who would be catered for, such as, 2 individually designed units, a swimming pool, a full size gymnasium, tennis courts, ball alleys, football pitch and two residences for the brothers and nuns. This was really a new and visionary centre in which to work. The total cost of this centre was less than £ 6,000,000.

St. Laurence's opened in January, 1972 and St. Michael's opened in September, 1973. It catered for 64 and 24 young people respectively, ranging in age from 7 to 16 years of age. It was run by the De La Salle Order under the auspices of the Dept. of Education. Then in 1994 the De La Salle Order left and the centre was managed by the Dept. of Education. At this point, in line with child care practice, numbers in the centre were decreased. St. Laurence's now had two smaller units of 15 and 15 in the assessment unit. This enabled us to enhance the level of care offered to each young person passing through the Centre. Numbers were once again decreased in 2004, when the actual building of St. Michael's was demolished and three units of 6 were established in St. Laurence's. The Dept. of Justice took over the running of the Centre in March, 2007.

The main function of St. Michael's assessment unit was to assess a young person's situation and make recommendations to the Court regarding an appropriate intervention. This was done through the co-operation of a multi-disciplinary team such as trained care staff, teachers, psychologists, psychiatrists and medical staff. The function of St. Laurence's was to offer care, control, education and rehabilitation for the young people committed there for a year or two.

FCAC has become known nationally as a centre of excellence over the years – for the following reasons:

to the extent, that in the early day, the majority of staff were trained in Child Care in Kilkenny and regional colleges – this practice continued throughout it's time;

offering a comprehensive assessment for young people;

introducing the key-worker system into Ireland;

life skills and sex education;

offering Junior Cert., I.E.P., FETAC and computer assisted learning;

the wide and varied in-training offered to staff and

the holistic approach offered in many different aspects of education and care.

We had a group of young people who did all the associated training (swimming, life saving, first aid, boat re-furbishing, sailing) to skill them in finally launching a boat in 2008!

Despite the above, FCAC has like many other organisations, gone through difficult times. We too have been touched by times of 'difficult management' and 'allegations of abuse'. Hence it is of paramount importance that an appropriate and effective system of Child Protection is always in place, monitored and reviewed on a regular basis. This is a crucial ingredient required in any residential centre in order to care for and protect these young people.

On another level, to have worked in FCAC has been an amazing experience for many people – while caring for young people with the satisfaction associated, it was a very social setting in which to work. From engagement parties, hen parties, stag parties, particular age parties and just parties – these were a constant feature. We also had many charity functions, where staff from the centre and other centres, came to run, walk, play basket ball, volley ball etc. to fund raise for other poorly funded centres. On some such occasions an amount of £7,000 was often raised in the 80's – no mean feat!

Finally, as of the 31st March, 2010, FCAC is no more. Gates closed, communications cut off, young people moved elsewhere and staff transferred to the Oberstown complex. To really finalise matters, 5046 boys, 580 staff and over 600 archived boxes of files bear testament to what was nearly 40 years of FCAC.

It is our wish that the lived experience of 38 years of staff, management and young people, will not be lost. But let there be no doubt that staff are determined that the 'spirit of FCAC' will live on.

Colette McGee worked in the Finglas centre from 1977 until its closure.

## ***NEW IASCW EXECUTIVE POSITIONS***

David Power was elected the new president of the IASCW at the AGM held in Athlone on February 24th. He replaces Phil McFadden who stepped down after a number of years in the position. At the AGM tributes were paid to Phil for his efforts in enhancing the status of the association and raising its profile.

David takes up the position with a number of challenges to be faced in the coming years. His position as social care representative on the HSCPC (Registration Council) will be of immense mutual benefit as the complex aspects of the registration process for social care workers are tackled.

David Williams, former Education representative was elected Vice President to replace David Power. Leon Ledwidge replaces David as Education rep. Leon has for a number of years been a Training Officer with the HSE in the Childcare Training & Development Unit in Park House, Dublin. She worked as a social care worker in the Crisis Intervention Service for 12 years. Leon's background and experience will be a valuable asset as she takes up her position and we welcome her on to the association's executive.

Full listing of new positions is on page 2

## ***ANNUAL CONFERENCE 2010***

The annual conference, jointly hosted with the RMA and IASCE, took place on February 24th/25th in Athlone. The three organisations met in the summer of 2009 to plan for the conference and there was discussion at that point as to the viability of a conference in view of straitened circumstances caused by the recession. A decision was taken to hold the conference and the hope was that a target of 100 delegates might be achieved.

All expectations were surpassed and on the first day 190 delegates attended and on the second day around 140 attended. The varied programme of relevant keynote speakers and workshops combined to ensure that there was something for everybody and feedback has been very positive.

The conference papers can now be accessed on the IASCW website.

## ***CORK FREE SEMINAR***

On April 14th the IASCW hosted a free afternoon seminar in Cork. Dr Patrick Randall spoke on Challenging Sexual Behaviour in Children & Adolescents. There were also three short presentations. Nicola O'Sullivan spoke on The Limetree Project based in Cork; Edel Foley and Geraldine Ring spoke on the Matt Talbot Drug Treatment Project in Cork which won a CAAB award in 2008. Aftercare, as it relates to Trinity House School in Dublin was presented by David Power.

This free seminar was the second in a series following the initial one in Dublin last November. Based on the success of the two to date there will be a similar seminar in Galway in October this year. Details in the October edition of The Link.

## ***REGISTRATION BODY WEBSITE – CORU***

The new brand name of the Health & Social Care Professionals Council is CORU. This comes from Care, Council, Regulate and Rules. This is an effort to make it easier for the public when registers are finally launched. Website is [www.coru.ie](http://www.coru.ie)

The official name, however, continues to be HSCPC.

The new website of the HSCPC (Health & Social Care Professional Council) can be found at [www.CORU.ie](http://www.CORU.ie)

## ***HSE RESISTANCE***

*"I'm experiencing resistance now in the HSE. Change means challenging the status quo. That causes anxiety for people and can lead to resistance to change. The challenge is to stay focused on what is in the best interests of children. I believe if you stay focused on the best interests of children then reasonable people will come with you."*

Phil Garland, HSE Assistant Nat. Director / Children & Families in interview with Jamie Smyth of The Irish Times (February 8th 2010)

## ***NOT ALL BAD NEWS***

A significant event took place in Dublin Castle on March 9th and may, not surprisingly as it was a good news story, have got the publicity deserved at a time when there was a welter of publicity around failures relating to children in state care. The occasion was the National Awards for Services to Children & Young People.

***The five Category winners for Effective Practice in the following areas were:***

Community: Curragh Youth Project, Co. Kildare

Inter-agency Working: HSE Pre-School Special Need Regional Community, Co. Donegal

Education: Co. Meath Youthreach centre of Education

Out of Home Care: Bessborough Centre, Blackrock, Cork

Youth Justice: Trinity House School, Lusk, Co. Dublin

***Highly commended in the five categories were:***

Janus Extern, Co. Wicklow

Functional Family Therapy Programme, Families First, Clondalkin, Dublin 22

The Life Centre, Dublin 2

Traveller Families Care Ltd., Co. Wicklow

The Gaining Ground Probation Project, Dundalk, Co. Louth.

**Congratulations again to all the winners and all those who took part.**

## ***SOCIAL CARE IRELAND***

The IASCW ratified the association's amalgamation into the umbrella body, Social Care Ireland, at the AGM on February 24th. This cleared the way for the formal announcement at the end of the conference in Athlone that Social Care Ireland was now a reality as an umbrella body representing the views and aspirations of the three associations.

Each organisation will be represented in the new forum by the President / Chairperson, Vice President/ Vice Chairperson and one other nominee making a total of nine. It is anticipated that this process will be complete by the end of May. A number of tasks face the new executive. One important one is to establish a workable equivalency system for social care qualifications gained in countries outside of Ireland and the UK. Other professions in line for registration have already begun or completed this important piece of work for submission to CORU.

The autonomy of each association is guaranteed. It is anticipated that at the first meeting of Social Care Ireland a more detailed outline of how the new body will operate practically and professionally will emerge, based on the memorandum of understanding already agreed and feedback will be given to members as and when it becomes available.

Membership of any one of the associations guarantees membership of Social Care Ireland.

Further details in October edition of The Link.

## ***'What is the significance of Care Work for Prison Officers? Comparing Social Care and Custodial Care'***

*by Maureen O'Hara*

***This article is of general interest to social care workers but especially to those who work in the Irish Youth Justice Service (IYJS) who ultimately will have responsibility for young people up to the age of 18 who previously would have been in the care of the prison service.***

### ***Abstract***

Based on the experiences of a practicing social care practitioner working in a residential child care centre, this article on prison officers in the Republic of Ireland focuses on the similarities and differences between social care and custodial care practice. The article addresses a gap in Irish prison studies, in particular with regard to prison officers and the impact of working in prisons. In the UK, Arnold, Liebling and Tait (2007) and Crawley (2004) have conducted studies with prison officers. The article focuses on prison officers in prisons in the Republic of Ireland in order to address the issues and concerns that impact on their work.

### ***Introduction: Issues in Custodial Care***

In Ireland, when comparing Quarter 1, 2010 (Q1, 2010) with Quarter 1, 2009, the current Central Statistics Office (CSO) statistics show upward increases in recorded crime for Robbery, Extortion and Hijacking Offences. This rose by 24.3%,

from 676 in Q1 2009 to 840 in Q1 2010. There were 1,478-recorded offences of Robbery from the person in the 12-month period ending in March 2010, a rise of 21.0% on the corresponding period ending in March 2009. The number of Murder-threats increased by over 60% from 53 in Q1 2009 to 85 in Q1 2010, there were 16 recorded Murder offences in Q1 2010, an increase of 1 on the same quarter in 2009, Robbery, Extortion and Hijacking Offences increased by 24.3% in this time period. When comparing the 12-month period ending in Q1 2010 with that ending in Q1 2009 an increase of over 9% was observed in the number of recorded Burglary and Related Offences (CSO, 2010).

Furthermore, Irish prison populations are on the increase. On 1st of February, 2010 there were 4,132 in custody, an increase of 11% on the numbers in custody the same week in 2009. This acceleration in prison population growth, in an overcrowded situation, which is already at critical level, has serious consequences for prisoner and staff safety. The current prison population excluding those out on temporary release is 4,197 (26th April 2010). (Irish Penal Reform Trust, 2010).

Several studies have been conducted in relation to overcrowding and rights issues in prisons. For instance, Coyle (2005; 2008), through the European Prisoner Rules (EPR's) and Whitaker (2007) all concur that overcrowding in prisons contributes to in-humane conditions for prisoners. The Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) (2007) reported on overcrowding in Irish Prisons. O'Donnell (1999) examined conditions in Irish prisons and noted that the disgusting ritual of 'slopping out' was still practiced at Mountjoy prison, in Dublin.

Bullying can occur in these circumstances. Ireland (2007:39) notes that bullying is clearly as much a problem among women in prison as for men. Stress among prisoners is a direct cause for stress among prison officers in crowded prisons. Norbert, Daigle, Daniel, Dear, Frottier, Hayes, Kerkhof, Liebling and Sarchiapone, (2007: 113-121) discuss stress in the findings from their study. Moreover, Moore & Elkavich (2008: 179) assert that the circular pattern of prison and eventual release with limited rights has presented health risks that have gone unchecked by the public health system, creating a public health issue with no system to handle the outcome.

These are problems, which, to varying degrees, affect virtually every prison system in Europe. They attract critical attention from CPT and increasingly from the European Court of Human Rights. One health risk that is high among prisoners is suicide, for example Corcoran, Keeley, O'Sullivan and Perry (2004) found that suicidal behaviour has increasingly become recognised as a major public health problem. In addition, Norbert et al (2007: 113) note from the findings of their study that 'as a group inmates have higher suicide rates'.

### *Applied Care in Practice*

Ethical problems are inherent in the practice of prison work as well as in the social care profession (Banks, 2006: 25). This is due to the concept of a care worker in either field as a public service profession dealing with vulnerable residents who need to be protected from exploitation; and also from its position as part of state welfare provision based on contradictory aims and values (care and control; capital accumulation and legitimation; protection of individuals rights and promotion of public welfare) that cause tensions and dilemmas for social care and prison staff, who very often find themselves the victims of media scrutiny and moral panics (Banks, 2006: 25).

Effective social care practitioners convey the basic principles of caring: honesty, integrity as well as respect for all the residents and staff at the centres where they work. This is coupled with encouraging independence in the children, looking at how to weigh the balance of risks, encouraging self-esteem that is so often damaged by being dependent on others for care; and protecting privacy (Rogers, 1990: 46). A further major component of the carer's work is preserving confidentiality. In some cases this is not fully possible, for example if a child makes a disclosure, for example, in relation to sexual abuse, this has to be passed on to the manager of the centre who in turn passes it on to the duty social work and up along the channels of communication.

Caring in a residential child care centre can be stressful because the children themselves demand a level of emotional commitment from their carers because of their physical or mental vulnerability or because of behavioural problems (Rogers, 1990: 153). Emotion in a care context is manifested in many ways, for example, a child may not have been cared for properly at home and neglected, and have had to come into care or a child in care could have been waiting for hours for a phone call or a visit from his/her parents who do not ring or do not turn up for the visit. Similarly, emotion is also at the heart of prison life because officers are often working with large numbers of often-distressed individuals who do not want to be there (Crawley 2006, cited in Leonard, 2008).

Crawley (2004) asserts that emotions must somehow be deployed on occasion and restrained on others. This requires that a range of emotion-management strategies are put to use. To describe this work she uses the term 'emotional labour'. Workers do emotional labour (that is, manage feelings to create a publicly observable display) on the job (Hochschild, 1983). Through emotional labour individuals suppress or re-present their own private emotions to make them appropriate or consistent with a situation, a role or an expected job function, and with socially accepted norms. Moreover, Crawley (2004) discusses that as a strategy for conveying, disguising and managing emotion, humour plays a significant (if somewhat unexpected) role in prisons, noting that this is also a method of social defense for coping with the demands of prison work (Crawley, 2004: 219).

While care staff would use humour on occasion, they are aware that children have an intuitive way of picking up on emotions and would recognise that more often than not it can be difficult to use humour with children/young people as they would

quickly dismiss it as staff having a lack of interest in their problems. Care practitioners have experienced that children with low self-esteem may sometimes put themselves down; hence practitioners would be cautious of using humour at certain times. These children have a fragile sense of self, if any at all, and have had overwhelming experiences, leading to states of confusion. Therefore, it is essential that the language and actions used by practitioners are clear in saying and doing what they mean (Tomlinson, 2004:108). In an adult situation, for example, with prisoners it may be easier to deploy emotional labour. In a children's residential care centre, it is much more difficult to manage emotion management strategies.

For practitioners, applying social care means using the key cornerstones of the profession. Dignity and respect for the child are always at the forefront of practitioners' thoughts as well as recognising every person as a unique human being who usually needs assistance and encouragement so that they can become empowered to deal with their own problems. It is never a good idea to do it for them, it is always best to show them and encourage them to do it for themselves. Furthermore, in their working capacity, care practitioners act as advocates for the young people (Bateman, 2000). Care practitioners have a checklist of advocacy outcomes, which they must consider when advocating for a child: choice, justice, support, protection, access, social development and empowerment (Henderson and Pochin, 2001: 145).

For prison officers, under the Prison Rules 2007, Rule 85 states: the duties of prison officers shall include "... to respect the dignity and human rights of, contribute to the rehabilitation and reintegration into the community and general welfare of, and maintain the respect of prisoners and in so doing, shall respect, in an appropriate manner, the privacy of prisoners of the opposite gender" (Irish Prison Rules 2007).

### *Reflection in care practice*

Prison officers are charged with respecting the dignity and human rights of prisoners, while humanely containing them, just as care workers support the dignity and human rights of all the children in their care as well as the staff whom they work with. Through reflection, a care practitioner can surface and criticize the tacit understandings that have grown up around repetitive experiences of a specialized practice, and can make new sense of the situations of uncertainty or uniqueness which she/he may allow him/herself to experience (Schon, 1991: 61). In order to illustrate the use of critical reflection throughout the social care process, care practitioners may reflect upon the development of skills, knowledge and values using elements of Kolb's 'cycle of learning' (Kolb, 1984).

Reflective practice involves an ongoing cycle of learning for social care and custodial care practitioners. The theoretical knowledge relating to child development and the evolution of the inner world of the child must become a cornerstone of any training for residential carers working with emotionally deprived children. These concepts form a vital part of understanding and catering for emotional needs of children in residential care, the meeting of which facilitates the emotional involvement of the child (Wheeler, 1998: 172).

It can be argued that prison officers need to be skilled in attempting to help all vulnerable prisoners. Probation, Community Sanctions and Restorative Justice may have been tried but failed (Office of the Minister for Children). Moreover, it can be argued that it is difficult for prison officers to work in such a demanding capacity of care to inmates if their own rights are not respected, given that they have to work in harsh conditions and in overcrowded prisons where their lives can be in danger from violence and conflict resulting from their stressful situation.

The proposed Super prison on the 150-acre site at Thornton Hall, Dublin is currently on hold due to the economic climate but hopes to accommodate approximately 2000 prisoners. Care practitioners understand that vulnerable people need familiar surroundings with kind humane staff. It could be argued that prisoners have the same needs. Whitaker (2007) commented on Thornton Hall's remote location, which will deepen the isolation and ostracisation of all prisoners and strand them away from families, communities and normal social life. It is suggested that the Dóchas Centre for Women, may be re-located to Thornton Hall. This could have a major impact on the incarceration of women because of its location, well outside the city; the issue of access for visiting families should be re-considered (Whitaker, 2007).

One alternative to increased prison places is the Scandinavian exceptionalism project, which promotes low rates of imprisonment and humane prison conditions (Pratt, 2008: 119). Pratt (2008) researched the countries of Norway, Sweden and Finland, where there are humane conditions for prisoners and per 100,000 of the population; there are low rates of prisoners in prisons. This ethos of Scandinavian prison management is one of normalisation, most clearly stated in the Finnish Sentences Enforcement Act 2002: 'Punishment is a mere loss of liberty' (Pratt, 2008: 120). Normalisation in this case means: prisoners to become normal or return to its normal state.

Regan (2001) argues that prison officers in Ireland have 'lack of control in a job entailing significant responsibilities as well as them having little input in decision making'. Testament to this is the recent resignation of Kathleen McMahon, the only Irish female governor (McMahon cited in Sheridan, 2010). In Norway prisoners are included in the yearly 'meeting in the mountains' (Christie 2000, cited in Pratt, 2008), where prison policy is worked through and determined by all interested parties.

According to Langton (Chairman of the Mountjoy Visiting Committee 2009), an adjustment needs to take place within the prison estate in Ireland. He states that alternative, community-based sentences should be expanded and linked to professional counselling; addiction treatments and periods of electronic tagging should be introduced. This would alleviate stress both to prisoners and prison offices; it could reduce the number of prisoners by up to 60 per cent (Langton, 2009).

The researcher would argue for the restructuring of the prison service. For example, people could work in the community in lieu of paying their fine or for the non-payment of their debts. Instead of large prisons, prisoners could be accommodated in small units in their communities. There is a need for Localism: that is redirecting more power to local governments (Do Better Do Less: The Report of the Commission on English Prisons today, 2009). In Ireland, this could be attempted by having a national debate involving all sectors of the community and where the taxpayer can advocate a better return for their reductions emanating in a humane, just and better society for all could advance this. This is an ideal mechanism through which local authorities can impact dramatically on the criminal justice landscape of their own domain and effect change in radical and innovative ways.

In these community prisons, one to one therapeutic intervention programmes could be used, consisting of assessment, review and monitoring of prisoners in order to assist in their full recovery and integration back into their communities. Short, medium and in some cases longer-term prisoner plans could be implemented at the commencement of their detention. Justice reinvestment is an alternative outside the criminal justice process.

The courts could work as part of the present multi-disciplinary team, encompassing psychotherapists, psychologists and addiction counsellor's excetra. Teamwork is of paramount importance in this work. Everyday situations could be observed and assessed, incorporating decision-making, action and review with the main emphasis on identifying and using those opportunities for deeper communication with prisoners. In residential child care, great communication occurs during mundane activities, for example while cleaning out the car or going for a walk.

Professional practitioners are adept at the skill of spotting these opportunities and making the best use of them. It is an approach, which requires attentiveness, responsiveness and creativity, but for the approach to be used well in a team, it also requires support and encouragement within the team itself. All interactions need to be seen within the broader contexts of the group, the staff team, and the place as a whole, and whatever response is offered to the person, it needs to be planned bearing in mind their treatment process as a whole, including their connections with their family and networks (Ward, 2004: 132).

### *Conclusion*

From the reflective researchers experience, vulnerable young people in a residential child care setting need professionally trained personnel to care for them. The same applies to prisoners. In most residential establishments dealing with vulnerable people, there is a great deal of emotional turbulence amongst residents and amongst the staff. The effectiveness of such establishments depends on how well this is addressed. From the researchers experience, children's/young peoples emotions are talked through and dealt with in the residential child care centre. Establishments that employ well-trained staff who are properly managed can provide good quality care and therapy (Wilson, 2000: 165). Could this professional ethos be applied to prisons? The care needs to be continuous with professional support and ongoing training provided for professionals providing the care; this is because this work is very demanding and psychologically draining. All care practitioners benefit from working in a professionally trained social care environment, whereas the staff and the clients do not reach their full potential when there is an absence of educational qualifications and training. 'Change can be a difficult and conflictual process: an occupational identity crisis may follow, emerging as discontent particularly on the part of senior and more experienced groups of practitioners' (Aldridge and Evetts 2003: 556 cited in Share, 2008:15).

*Maureen O'Hara is a practising social care worker.*

## *Cabinet Report on Child Protection*

Geoffrey Shannon, the government's special rapporteur on child protection submitted proposals to the cabinet in early April in view of what he perceives to be problems with the current system. Among the recommendations made are

- Independent oversight of child protection services
- Statutory arrangements for appointments, qualifications and role of guardian ad litem as well as a regulatory and monitoring body for same
- Consistent application of Children First guidelines with a review and amendment of the guidelines toward placing them on a statutory footing
- Legislative change rather than a constitutional amendment on the issue of under age sex including measures to exclude non exploitative sexual behaviour among peers from the criminal justice system
- Judges and lawyers working in the child protection area should be trained.

He does not recommend the mandatory reporting of suspected child abuse.

## *It Would Never Happen Here?*

Earlier this year a job centre in Thetford, Norfolk became the centre of some media attention when it refused to accept a job advertisement because the ad stated that the worker required must be “reliable” and “hard working.” The basis given for rejection was that, as stated, it discriminated against unreliable people and presumably against those who are lazy!

The following article from the Yorkshire Post is by journalist Bill Carmichael. Of course this would never happen in Ireland.

*Best laugh of the week came courtesy of a jobcentre in Norfolk which rejected an advert for a “reliable” worker on the grounds that it was discriminatory against unreliable people.*

*Nicole Mamo, who runs a recruitment agency, also wanted to specify that applicants had to be “hard working,” but this was turned down too –presumably on the grounds that it was offensive to be bone idle.*

*She was allowed to specify that the candidate must be fluent in English only after she pointed out that the hospital cleaners she was recruiting would be required to handle hazardous chemicals and would need to read the instructions on the label.*

*This was a shrewd move on her part – in the risk averse world of the state bureaucrat, an appeal to “health and safety” trumps all other considerations.*

*I wonder that had Mrs Mamo demanded that all applicants must have the ability to breathe in and out, her advert would have been rejected on the grounds that it was discriminatory against dead people?*

*It’s hard not to laugh at such craziness but there is a serious point to be made.*

*Modern Britain is chock full of people who are apparently so hypersensitive that they will take offence at virtually anything – usually on behalf of someone else.*

*Discrimination has become a dirty word – but it is just another term for choice, and we discriminate all the time, in our choice of partner, the clothes we wear and what we eat and drink.*

*Much of this falls under the category of personal preferences and no amount of government interference will alter that.*

*In the world of work you have to be more careful. What is clearly wrong is unfair discrimination on the grounds of race, gender or religion. This is not only against the law, but bad for business, too.*

*Mrs Mamo was well aware of that. She runs her own business, and the difference between success and failure is largely down to the calibre of staff she recruits.*

*She is perfectly entitled to discriminate in favour of candidates she feels can do the job required, and against those who can’t. That’s not unfairness, but simply common sense.*

*If Britain is ever to recover from its current economic mess, it will be thanks to job creators like Mrs Mamo.*

*I do hope someone has a quiet word with the Thetford (job centre) branch to tell them not to be so daft.*

Reprinted with permission of Yorkshire Post.

## ***SOCIAL CARE IRELAND 2011 Annual Conference***

***Athlone: March 2nd/3rd, 2011***

*Conference Theme + process for submission of Workshop Papers  
will appear in next edition of the IASCW newsletter*

*due out on **October 1st 2010***

*The vexed question of how long some children should remain in a Special Care Unit has often arisen in recent years. Justice Sheehan's judgement is a relevant one.*

# Child should be kept in care

HSE -v- N

## High Court

Judgment was given by Mr Justice Sheehan on November 2nd 2009

## Judgment

A 14-year-old boy should be detained in Ballydowd for a period of at least 18 months so that he had certainty in his life

## Background

The case first came to the High Court when the HSE sought an order directing the placement of the 14-year-old boy in a residential treatment centre in Nebraska in the US. This was opposed by the boy's mother but supported by the *guardian ad litem* who had been appointed for the boy.

The case was listed to be heard on October 7th 2009, and on October 5th the boy presented himself at Ballydowd and refused to return to his HSE placement. That night the High Court granted an application by the HSE to detain him in Ballydowd. When the case came on for hearing two days later the HSE said it now wanted an order detaining the boy in Ballydowd for a month, and the issue of his going to the US no longer arose.

The boy had been in over 40 different placements since the age of two and every conceivable form of fostering arrangement had broken down. Despite "a whole series of depressing reports" two rays of hope emerged.

One was that there had been one stable placement in Co Mayo which continued for a three-year period, during which the boy

attended a local school and was well integrated socially. His bond with his foster parents appeared overall to be strongly nurturing and positive.

However, the mother commenced appeal proceedings in March 2006 as a result of which she had greatly increased access, which placed considerable pressure on him and contributed to the breakdown of the fostering arrangement in May 2007. "One of the problems faced by the HSE is that plans previously put in place for SN have frequently been disrupted by SN's mother," Mr Justice Sheehan said.

The second ray of hope was the boy's eight-month stay in Ballydowd from April to December 2008. The staff commented that his progress, including forming relationships with his peers, was helped by the fact that he felt safe there.

Nonetheless there was "a serious and frightening deterioration in his behaviour within a relatively short period of his release."

A senior clinical psychologist who knew the boy in Mayo was of the view that a long-term placement in Nebraska was in his best interest. He agreed that the most important thing was for him to form appropriate relationships with the adults in whose care he was placed. He attributed the source of his problems to his mother's frequent rejection of him.

Another psychologist stated that without his needs being met in an appropriate therapeutic environment his prognosis was very poor and "it is highly likely that he will continue to represent a significant threat to the safety



Mr Justice Sheehan: ruled that the boy should be placed in a safe institution for 18 months

of adults and peers in his immediate environment, the general public and himself."

Mr Justice Sheehan said this was one of the exceptional cases referred to by Mr Justice MacMenamin in relation to secure detention of a young person, who had not been convicted.

While the application was for detention for one month, he said he could not ignore the evidence he had heard, including from SN himself, who was an intelligent and able young man with huge potential.

"It is important not to underestimate the huge suffering, pain and loss experienced by SN as a result of his total abandonment by his father and his frequent rejection by his mother," he said. "This deprivation of his fundamental rights as a child has resulted in him being a grave risk to himself and to others. The only possibility that this court can see of ameliorating these wrongs is a reasonably lengthy placement in a safe and secure institution."

He added that he also needed certainty in relation to the duration of his detention, and ruled that his should last for 18 months, with mobilities at the discretion of the director.

The full judgment is on [www.courts.ie](http://www.courts.ie)

Peter Finlay SC, instructed P J Durkan, Westport, for the HSE; Carmel Stewart SC, instructed by Pauline O'Reilly & Co, Galway, for the guardian ad litem; Derbhla Browne, instructed by the Law Centre, Castlebar, for SN's mother.



This deprivation of his rights as a child has resulted in him being a grave risk to himself and to others

Full judgement on [www.courts.ie](http://www.courts.ie) Above article reprinted courtesy of The Irish Times.

## The More Things Change...

*"The child care workers, in taking on trade union membership, are not looking for luxury – they are looking for justice. Those at all levels who speak so highly of certain virtues such as caring, commitment, love, etc. should not forget that justice is a virtue also. Mention has been made of child care workers not being allowed change a plug because, in a union situation, it is not their job. I would agree that this is a good example of trade unionism gone mad. However, I've seen child care workers, who would decry anything to do with unions, acting even more crazily over matters less trivial than even changing a plug."*

Extract from letter sent in 1982 to the newsletter of the AWCC (former name of the IASCW.)

## *Spare the Rod and Spoil the Child? Well, it's not that simple anymore*

*By Steven King*

He was only little – about two, I would say – and a bit scruffy, his feet barely touching the floor as he was dragged along the Tesco aisle by his mother who was carrying a shopping basket and also pushing a buggy containing a younger brother or sister. She let him go for a minute, distracted by the choice of soft drinks, and he sat down and started to pull plastic bottles of mineral water off the lowest shelf.

Realising what had happened, his mother picked him up by one arm and started hitting him across the bottom and the legs, again and again. He screamed in distress. Everyone in the same aisle froze. Was it horror? Embarrassment? I'm not sure. Then, just as swiftly, everyone looked the other way as she bundled her offspring towards the checkout, clearly beside herself with stress.

You couldn't help feeling for her and the little lad. She didn't beat him across the head, but nor was he endangering himself by playing with some plastic bottles. She had simply reached the end of her tether.

Twenty or 30 years ago few would have blinked an eye: walloping kids was "normal". Nowadays, though, smacking in the interests of discipline and good behaviour is a practice many parents would defend but fewer and fewer actually practice, least of all in a busy supermarket. In some European countries that mother could have been up on an assault charge. Even those Irish parents who do still smack admit to feeling guilty afterwards.

But a new study, published last week, has found that youngsters smacked up to the age of six actually do better at school and are more optimistic about their lives than those never hit by their parents. They are also more likely to undertake voluntary work and are keener to attend university, experts discovered.

Marjorie Gunnoe, professor of psychology at Calvin College in Grand Rapids, Michigan, said her study showed there was insufficient evidence to deny parents the freedom to determine how their children should be punished: "I think of spanking as a dangerous tool, but there are times when there is a job big enough for a dangerous tool. You just don't use it for all your jobs."

The research questioned 179 teenagers about how often they were smacked as children and how old they were when they were last smacked. Their answers were then compared with information they gave about their behaviour that could have been affected by smacking. This included negative effects such as anti-social behaviour, early sexual activity, violence and depression, as well as positives such as academic success and ambitions.

Those who had been smacked up to the age of six performed better in almost all the positive categories and no worse in the negatives than those never punished physically. Only those children who continued to be smacked into adolescence showed clear behavioural problems.

The research is likely to anger children's rights campaigners who have unsuccessfully fought to ban smacking in Ireland for years. An attempt last year by the North's Children's Commissioner to prevent the extension of the English law, which allows smacking so long as it leaves no mark or graze, was lost in the Court of Appeal.

In the South, corporal punishment in schools, crèches and detention centres is outlawed, but there is no law in place which expressly bans physical punishment of children in the home. Parents are virtually immune from prosecution because their decision-making rights under Articles 41 and 42 of the constitution are "inalienable", although Irish law in this area has come under serious criticism in recent years for potentially breaching the European Convention on Human Rights which bans inhumane or degrading treatment or punishment.

Although the Government says it doesn't want to see gardaí "prying" into domestic households, anti-smacking campaigners are hopeful that the long-awaited referendum on the children's rights amendment to the constitution will force the courts to determine a child's rights and thereby lead to a de facto ban.

An all-party committee, chaired by Mary O'Rourke TD, has finally agreed on the wording of the proposed amendment which will be published on January 25. The public should have its say sometime this year, assuming the Oireachtas gives its approval.

Where public opinion stands is hard to tell. Although slapping children has become less acceptable in modern society, the majority of Irish parents are opposed to legislation which would see it outlawed, according to some surveys. Yet the less we smack our children, it seems, the louder the anti-smacking lobby protests. Rather than let smacking die out, nothing short of a ban will satisfy them.

The anti-smacking lobby wins support by equating a judicious slap with child abuse. Yet smacking is clearly not violence which is defined by the intent to do harm. To the child protection industry, however, it is all the same thing.

Yet I confess to being in two minds. If a mother seeing her small child run out into the road snatches him back and slaps

his legs and chastises him, is that child abuse or saving a life? But if, as has been suggested, smacking is to blame for a whole host of psychological and social ills, including domestic violence, depression and even deviant sexual behaviour, should parents be respected for their ability to make good decisions regarding their children? Or should the Government intervene?

Behind the focus on smacking, the children's rights lobby sometimes appears to be promoting a more poisonous message: that adults cannot be trusted to care for children. There is, of course, a sorry history of child abuse in Ireland, but must the underlying assumption be that abuse is the norm in adult-child relationships?

THE danger is that adults come not to trust one another – or themselves – around children, and children in turn are taught not to trust grown-ups. For all that has happened, abuse is not behind every door, or even every church door.

Many advocates of a total ban on smacking are against all forms of punishing children. They believe that parents who rely on the withdrawal of affection as an alternative to smacking may cause even more damage to a child. Crackpots, you might think.

But research in Britain suggests about 7% of 15 to 17-year-olds are hit by a parent in every six-month period. So can we be entirely surprised, therefore, when behaviour learnt at home finds its way out on to the streets? And while Irish parents have traditionally followed the maxim "spare the rod and spoil the child", would anyone think in this day and age that keeping a stick in the home for the imposition of discipline, for instance, is in any way acceptable?

But if a ban on all physical punishment in all circumstances is extreme – even if a child puts its hand in the fire? – it seems the current legal position will not be tenable for much longer. It is to be hoped that some reasonable compromise can be found which outlaws the misuse of corporal punishment and the kind of smacking most reasonable people would see as excessive.

That is a job for the Dáil – not the courts.

*Article reprinted courtesy of Irish Examiner and the author.*

## ***THE SECRET OF BRYN ESTYN*** ***THE MAKING OF A MODERN WITCH HUNT***

*Author: Richard Webster*

*Publisher: Orwell Press*

*ISBN: 978-0951592267*

### ***Review by Nicola Carr***

Bryn Estyn, a home for adolescent boys in Wales gained notoriety in the early 1990s following a series of newspaper reports concerning allegations of sexual abuse and the purported operation of a 'paedophile ring'. The newspaper reports written by a freelance journalist and published by the reputable Independent eventually led to the establishment of the 'Waterhouse Inquiry' and the investigation of abuse in residential care across Wales and further afield.

The author of 'The Secret of Bryn Estyn', Richard Webster, describes his interest in this case being provoked by a chance encounter with former Bryn Estyn staff at the British False Memory Society, where he heard claims that staff of the unit had become the object of a 'bizarre witch hunt' following the conviction of one staff member for abuse. The conviction of this staff member (and others) is not disputed in the book; rather the manner of subsequent investigations and further convictions is contested.

A Tribunal of Inquiry, commonly referred to as the Waterhouse Inquiry after its chairperson, Sir Ronald Waterhouse, was established to investigate the North Wales allegations in April 1996 - the original investigation into abuse in North Wales had found that there was no evidence to substantiate the claims of 'paedophile rings' and organised abuse. The report of the Waterhouse Inquiry was published after four years of investigation in February, 2000. After the Bloody Sunday Inquiry (the report of which is soon to be published) the Waterhouse Inquiry is the longest and most expensive tribunal of inquiry ever to be conducted in the UK. The Report of the Inquiry entitled 'Lost in Care' has become a landmark document in this area. However, this book disputes many of the Report's key findings.

Webster's central thesis is that initial allegations and subsequent convictions for child sexual abuse led to a 'witch hunt' mentality where police and other parties sought to uncover non-existent 'paedophile rings'. He argues that this approach was fuelled by media coverage, the ensuing public outcry and police concerns that they too were at risk of being embroiled in the scandal – allegations had been made regarding links between members of the North Wales Police and 'paedophile rings' in some residential homes.

Webster argues that a number of issues coalesced to create what he characterises as a 'witch-hunt', firstly the idea that emerged in the 1990s – that British residential homes had been 'infiltrated' by paedophile rings, here he states:

...in the minds of some observers, almost all care workers became paedophiles, or potential paedophiles, or silent abettors of evil crimes which they were presumed to have witnessed or suspected. (Webster, 2005:3)

Based on this premise, Webster contends that the police adopted investigation techniques that were contrary to ordinary crime investigation procedures. Rather than a crime being reported or detected and then investigated, the police engaged in a process where they actively looked for potential victims – for example by tracking previous residents of children’s homes, inviting complaints and in some instances specifying particular workers against whom complaints had already been made. Webster argues that adding the possibility of compensation payment into the mix, the scene was set for false complaints and ultimately unsafe convictions. He further argues that the influence of the ‘Californian Model of Child Protection’ - in short that allegations of child abuse (historic and otherwise) should be believed regardless of the supporting evidence – had profoundly influenced Social Work practice in the UK and that the combination of all of these factors led to the situation akin to a ‘witch-hunt’ for potential paedophiles in residential care.

This book details the author’s own investigation into the Bryn Estyn case and his subsequent investigations into other cases of child abuse in children’s homes across North Wales and elsewhere in the UK. At a length of over 700 pages, the book contains an abundance of detail including copious footnotes and appendices. Webster unpicks some of the evidence and he points to miscarriages of justice in relation to some convictions. In particular the role of Alison Taylor, a former care worker in Bryn Estyn and the chief ‘whistleblower’ in this case– and her alliance with Dean Nelson the freelance journalist who originally ‘broke’ the story in the Independent is strongly critiqued. Evidence is presented of the relationship with Taylor and Nelson and their involvement in ‘persuading’ former care-home residents to give statements.

Passing reference is made to abuse in residential care in Ireland – at the time of writing the Ryan Report had not yet been published, yet Webster refers to ‘a particularly intense and dangerous crusade against child abuse in the Republic of Ireland’ (p.543), linking this to the fall of the government in 1994 following the Brendan Smyth extradition controversy and the unsubstantiated rumours of a conspiracy between state officials, government ministers and Opus Dei. With regard to the eventual establishment of the Redress Board to compensate victims of Irish institutional abuse, following the series of revelations highlighted in the media, he states:

...it seems beyond doubt that many children and young people did suffer abuse in the Irish industrial schools, not least because of the draconian extent to which corporal punishment was sometimes permitted and used. At the same time, however, there is clear evidence that large numbers of incidents have been fabricated, imagined or retrieved as ‘memories’ as a result of counselling or other forms of suggestion. It would indeed be remarkable if the creation of the Redress Board, which has extended extraordinarily generous terms both as complainants and to their lawyers, did not lead to an unusually high level of false allegations. (p.546)

While some of the arguments made by Webster in this book are persuasive. The book presents disquieting information on a range of issues including the police approach to the investigation, the court process, in particular the decision to allow ‘similar fact evidence’ where the volume of allegations adds to the perception that ‘there is no smoke without a fire’ and the media reporting of these cases. Overall it makes for uncomfortable reading and the breadth of detail is impressive, if at times unwieldy. It is clear that Webster has spent a long period of time investigating the specific cases, however, when he tries to make wider links – in particular to the Irish situation his analysis falls short, not least because in any otherwise comprehensively researched book he does not provide supporting evidence for some of these claims.

Nicola Carr lectures in the School of Sociology, Social Policy & Social Work at Queen’s University, Belfast.

## *Founded on Fear*

### *A Childhood Stolen, a Life Destroyed*

*Author: Peter Tyrrell*

*Edited by Dairmuid Whelan*

*First Published 2006 by Irish Academic Press*

#### *Review by Kieran Campbell*

This is a powerful tale told straight from the heart of a man whose voice would not be silenced. **Not silenced** by the brutality of the Christian Brothers in Letterfrack, which the Ryan report tells us that physical abuse was severe, excessive and pervasive, and created a climate of fear... where...it was impossible to avoid punishment, because it was frequently capricious, unfair and inconsistent (8.264 Chapter 8, Volume 1 Commission to Inquire into Child Abuse Report, 2009); **not silenced** by the difficulty which Letterfrack boys had in integrating into normal society once they were discharged from what had been their home for all of their formative years - they were treated at best as second-class citizens, at worst, as outcasts. And in a country where jobs were scarce they were at the back of the queue when it came to work or careers; **not silenced** by the emigrant ship, joining the British Army and serving time in a German POW camp; **not silenced** by his isolation in England where, in spite of his army service, he fell victim to anti-Irish sentiment; **not silenced** by the flames on Hampstead Heath, where their author, Peter Tyrrell, committed suicide in 1967 when he set fire to himself. That final act

of tragedy and hopelessness followed the refusal by anyone to listen to the story he had to tell, bishops and religious, press and politicians, and Government ministers had no desire to lift the lid on the unsavoury, violent and tragic reality of our industrial schools of 20th century Ireland. Yet, this is a story that would not be silenced.

In this dark tale, we read of the physical abuse that terrorised the young Peter Tyrrell – the terror of being hit, the fear of being hit, the awful anticipation of being hit.. I was now beaten so severely with a heavy stick that I was admitted to the Infirmary for a week... we never know who is going to be beaten, and there is never any reason given... Equally traumatising was the witnessing of other young boys being beaten, one episode included Peter's brother Jack lying on the ground and being flogged by a Brother Vale; in this incident it took the intervention of a woman who worked in the laundry running in with an iron bar to stop the flogging of, a now unconscious boy. The woman 'pushed' the brother away with the iron bar. The crime that Peter's brother Jack committed was that he had let a kitten escape from the pantry. The brutality of bath nights is also detailed harrowingly where a brother beats the naked boys going and coming from the baths; on one occasion Peter after being hit on the head and back with the rubber, slips on the soapy floor, where the Brother beats him on the floor. Peter's comment I was terrified of being beaten naked. The beatings seemed to come predominantly from behind, when the boys were unaware of the nature and timing of the beating; the effect of this is reflected years later when back at home when my mother was passing she happened to brush against me from behind and I jumped and almost screamed... I'm terrified lest anyone should notice... Peter's survival mechanism: whenever possible I sit with my back to the wall, by this method I feel more at ease.

One of the recurring and insidious effects of this violence and witnessing of violence is the nightmares that Peter suffers from; now there is no respite from the terror day or night, awake or asleep. There is someone running after me and I can't get away. It's always dark, and I can't see anybody, I'm terrified to look behind because I know somebody is there. I wake up sweating and I try to remain awake, biting my lip, it's no good. I sleep again, but am more afraid this time...I wake up screaming.

It is hard not to escape the complicity of all in society to the violence and brutality of our Industrial Schools. The fact that it took forty to fifty years after the harrowing and tragic suicide of Peter for his story to be heard and believed is damning of all in society. In the light of the works of Paddy Doyle, Mannix Flynn, Mary Raftery, Eoin O'Sullivan the Ryan Report, it is hard to believe that the regime or calculated abuse of boys could have gone unnoticed for so long. There is a temptation to believe that such abuse, trauma would not happen under our collective watch and maybe it wouldn't. However, the real challenge of Peter Tyrrell's testimony from beyond the grave is to ask ourselves the question: what abuse is occurring today that I am either not aware of or not accepting of? What abuse that is happening around me that I am bearing silent testimony to? Not easy questions for us care professionals to ask of ourselves and each other. To contextualise that question and to give some accountability to Peter Tyrrell, I draw on the work of Judith Herman in **Trauma and Recovery**, when she writes on psychological trauma, drawing on the experience of violence/rape against women in polite Viennese society, the shell-shocked soldiers returning from war, the sexual abuse of children and women. All of which have:

*A curious history – one of episodic amnesia: Repeatedly in the past century, similar lines of inquiry have been taken up and abruptly abandoned, only to be rediscovered much later. Classic documents of fifty or one hundred years ago read like contemporary works. (The current example is of Peter Tyrrell's book). Herman continues:*

*This intermittent amnesia is not the result of ordinary changes in fashion that affect any intellectual pursuit. The study of psychological trauma does not languish for lack of interest. Rather, the subject provokes such intense controversy that it periodically becomes anathema. The study of psychological trauma has repeatedly led into realms of the unthinkable and foundered on fundamental questions of belief.*

*To study psychological trauma is to come face to face both with human vulnerability in the natural world and with the capacity for evil in human nature. To study psychological trauma means bearing witness to horrible events. When the events are natural disasters or "acts of God," those who bear witness sympathize readily with the victim. But when the traumatic events are of human design, those who bear witness are caught in the conflict between victim and perpetrator. It is morally impossible to remain neutral in this conflict.*

*It is very tempting to take the side of the perpetrator. All the perpetrator asks is that the bystander do nothing. He appeals to the universal desire to see, hear, and speak no evil. The victim, on the contrary, asks the bystander to share the burden of the pain. The victim demands action, engagement, and remembering. . . .*

*In order to escape accountability for his crimes, the perpetrator does everything in his power to promote forgetting. Secrecy and silence are the perpetrator's first line of defence. If secrecy fails, the perpetrator attacks the credibility of his victim. If he cannot silence her absolutely, he tries to make sure that no one listens. To this end, he marshals an impressive array of arguments, from the most blatant denial to the most sophisticated and elegant rationalization. After every atrocity one can expect to hear the same predictable apologies: it never happened; the victim lies; the victim exaggerates; the victim brought it on herself; and in any case it is time to forget the past and move on. The more powerful the perpetrator, the greater is his prerogative to name and define reality, and the more completely his arguments prevail.*

*The perpetrator's arguments prove irresistible when the bystander faces them in isolation. Without a supportive*

*social environment, the bystander usually succumbs to the temptation to look the other way. This is true even when the victim is an idealized and valued member of society. Soldiers in every war, even those who have been regarded as heroes, complain bitterly that no one wants to know the real truth about war. When the victim is already devalued (a woman, a child), she may find that the most traumatic events in her life take place outside the realm of socially validated reality. Her experience becomes unspeakable. . . .*

*To hold traumatic reality in consciousness requires a social context that affirms and protects the victim and that joins the victim and witness in a common alliance. For the individual victim, this social context is created by relationships with friends, lovers, and family. For the larger society, the social context is created by political movements that give voice to the disempowered. . . .*

*The extended excerpt from Judith Herman's seminal work is not as a defence of why Peter Tyrrell's voice was not heard for decades, but a challenge that we do not confine to history the reality of abuse, trauma nor the complicity of society to these realities in our midst. That we do not try and silence a voice that would not be silenced, but rather we try and create the social context to give voice to the disempowered through the quality of our work and relationships with those with whom we work and join in an alliance with them in validating their reality.*

This harrowingly honest book, which I would recommend to all care practitioners to read, could never have been published in Tyrrell's lifetime. The least we owe to his memory is to ensure that we give voice to our children, our elderly, our homeless, our children in care, our people suffering from mental health difficulties, our people suffering with intellectual disabilities without family or state support, our children going missing whether they are separated children seeking asylum or indigenous young people. **These are voices that should not be silenced.** Herein, lies the real challenge of Peter Tyrrell.

Kieran Campbell is Acting Child Care Manager with the HSE South in Cork.

**Editor's Note:** The Ryan Report got many things right. One thing it got wrong was, incomprehensibly, assigning a pseudonym to Peter Tyrrell. In volume 1 of the report reasons are given for the use of pseudonyms and in the context given the reasons do make some sense though survivors' groups do not accept that reasoning. What does not make sense is that Peter Tyrrell becomes "Noah Kitterick" in the report when in fact one of Peter's very worthy claims to fame is that he did what we all now know did not happen for decades – he spoke out and tried to bring attention to what was going on. It is regrettable that his real name, already in the public arena, does not feature in such a landmark report.

### *After care: 1880's style :*

Following is an exchange between Lord Aberdare, Chairman of the Reformatories & Industrial Schools Commission and Fr Everard & Fr Hayde, Managers of Upton Reformatory, Cork in 1883.

Lord Aberdare: You have something to say, have you not, as to an allowance on the discharge of boys in order to apprentice them?

Fr Everard: Yes, that is another very important thing. Several of our boys, when their time is up have not quite finished learning their trades. I know that some of them who have already finished are able to earn an honest livelihood. But it is very difficult now to get into establishments in the different cities. The trades unions are entirely against our boys. But if we had some small allowance to apprentice those boys to the tradesmen in the different cities it would be a very great boon...After two or three years of apprenticeship these boys would be able to join the trades unions.

Fr Hayde (later in same session):We have two boys at present in Dublin that are cabinet makers by trade and I have heard from one of the best cabinet makers in Dublin that those two boys are able to take their stand and work with any other man in Dublin working at the bench, but unfortunately it is frequently thrown up at the boys that they have been in a reformatory and it injures them very much and those lads prefer to go to London where nobody would know them. I need not tell you in the case of the poor fellows, living with their friends in homes in Dublin, what a great sacrifice it would be to them.

## **INCLUSION IRELAND**

The IASCW recently joined Inclusion Ireland which is an umbrella body for over 160 organisations providing services and supports to almost 28,000 people with intellectual disabilities. It campaigns for changes in services and legislation that will improve the quality of life and participation of people with an intellectual disability in Irish society. See [www.inclusionireland.ie](http://www.inclusionireland.ie)

## *Enlightenment or Punishment ?– 1880's style*

The following is an exchange between Miss E Woodroffe, Manager of the Deaconess Home for Protestant Girls in Glanmire, Cork and Sir Michael Hicks-Beach of the Reformatories and Industrial Schools Commission in 1883.

Sir Michael Hicks-Beach: When you spoke of sending girls to a reformatory had you any particular reformatory in mind?

Miss Woodroffe: Yes, the Cork St. Reformatory in Dublin, but they must be Protestant girls.... I know the manager and I have had to send girls there, so that I know it in more ways than one.

SMH-B: Have you watched the conduct of those girls after they have left the reformatory?

MISS W: Yes, I have. Of two that I sent there one is now doing very well indeed and she thanks me with all her heart for having sent her there. I have had one of the nicest letters from her, an affectionate and loving letter, saying that she thought at the time it was it was hard going there but now she thanks me with all her heart. She is now living at Fermoy and is a very good young woman indeed. The other died of consumption last December but about July last I had a letter from her, for I correspond with them even though they go there, and she wrote to thank me for having sent her. She said that she now saw how wrong she had been and hoped to do much better.

SMH-B: You think then, that they would be submitted there to some discipline more severe than you are in the habit of using in your own establishment?

MISS W: Yes, than we are in the habit of using or would wish to do. We so not wish the schools to be punishment places in any way if we can help it.

## *IASCW Response to HIQA Consultation Document, January 20th 2010 (Draft National Standards for Residential & Foster Care Services)*

The IASCW welcomes publication of the Draft National Standards and the efforts of all involved in the working group to frame appropriate and workable standards at a particularly sensitive and important time for children deemed to be in need of out of home care.

In that context we would make the following points as commentary and suggestion.

There should be a clear, unambiguous statement in the finalised document that, despite the best efforts and reference points, the standards can never reflect on all situations, i.e. a "one size fits all" can never be an absolute.

Specifically in relation to Residential Care we would suggest that the standards (at risk of repetition in a number of areas) deal with that area as a separate entity. Residential care is legislatively reflected, for good or ill, as an option of last resort. For that reason alone we believe the standards informing it should stand alone notwithstanding the highlighted quote at end of page 3.

The following suggestions are made without prejudice and with specific reference to **residential care**.

\*\*\*\*\*

### **1.3 Each child or young person feels safe and secure in his / her placement**

We suggest that this be extended to include a sentence such as the following. **They should have explained to them and understand, in as far as possible, that their safety and security is the responsibility and priority of those professionals entrusted with their care.**

### **2.8 There are clear limits and boundaries that provide each child and young person with a safe base from which to explore his / her world and to take developmentally appropriate risks**

We suggest that following "clear limits and boundaries" in line 1 the following, or wording reflecting it, be inserted: **determined by the staff and explained to each child that provide them with a safe base etc...**

### **3.3 Each child/ young person has a bedroom to himself / herself...**

Hardly applies to residential care.

### **3.10 Limits to privacy imposed for security reasons in Sp. Care/Detention Schools.**

Reasons of security can often apply in mainstream / High Support settings and should be reflected here as well as Special Care settings and detention schools.

### **6.2 Each child and young person can access information through a variety of media including newspapers, television,**

or radio and the internet.

We suggest **suitable** and **appropriate** be inserted prior to “information” in line 1.

**6.12 The care plan for each child and young person specifically addresses the need for information and advocacy**

A clear distinction needs to be made between **Care Plan** (responsibility of referral agency) and **Placement Plan** (self explanatory). Confusion and misunderstanding surround these two distinct pieces of documentation. **This confusion surfaces in a number of places in the consultation document, e.g., Section 5.**

**9.18 Where a concern arises for the safety of a child or young person reasonable and proportionate interim measures are taken to ensure the safety of all of the children and young people in advance of the outcome of any assessment or investigation of the matter.**

We welcome the thrust of this paragraph but would suggest inserting, after “interim measures” in line 2, *based on staff professional judgement*.

**10.4 (a) Professional staff prioritise being available to each child and young person over other demands on their time and assure each child and young person that they are available when needed.**

The spirit of this sub section is very welcome but experience increasingly shows that other less important aspects of bureaucracy (form filling etc.) dilute this spirit. Essentially, while the point made in this sub section should be a vital element in the care of children, staff will look to what will ultimately be asked of them in a regulatory system and prioritise that. How many times will a manager, monitor or inspector ask for evidence of how much time was actually spent with the children as opposed to time spent writing about them?

**13.2 ...has opportunities to return to his / her placement ...** after they have finished their placement

“Opportunities to return to his / her placement etc” is highly commendable but such opportunities are currently submerged in a maze of bureaucracy and understandable unit protocols which any former resident may be acquainted with if they ring or make contact to pay a visit etc. What had previously been done in an effective and welcoming manner is deemed suspect for all kinds of reasons to do with Health& Safety, child protection issues etc. An event, such as a simple visit, formerly natural, spontaneous and in the majority of cases very beneficial to the former resident and the unit has fallen victim to what can only be described in some cases as perceived politically correct demands on staff with which they, unfortunately but understandably, must comply. Ultimately, this leaves the ex residents feeling they are a burden and unwelcome. In other words they are left on occasion with another rejection to shoulder despite the best efforts of staff to explain the situation.

**14.12 The approach to management of behaviour of older children and adolescents involves discussion, negotiation and agreement.**

We strongly suggest that this section contain a line indicating that there will, on occasion, be issues that are **non negotiable** i.e., where protection, safety, security and the welfare of others is in question. We believe it important that children know and understand this relative to their age and maturity.

**14.24 Professional staff... take reasonable and proportionate measures to prevent a child or young person leaving the placement without permission. These measures take into account ... age and stage of development and the degree of risk involved in leaving the placement**

We suggest that further clarity is needed around this section which, admittedly, reflects a more positive, rational and professional attitude than what would previously have been seen as literally deskilling the staff in situations where they were faced with children leaving placements. The clarity we call for in this section (or elsewhere in the standards) is that staff in any residential setting can and should, where possible and taking all relevant circumstances into account, act in the child’s best interests at all times. This may include physically intervening to prevent a child leaving the placement which reflects 13.3, 13.4 and 13.5 of Best Practice Guidelines in the Use of Physical Restraint 2006 (Reviewed 2009).

Who will decide what is reasonable and proportionate? Is it the manager, the monitor, a review group or is it HIQA?

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While indicated in 7.1 p.16 of the draft document that there is no order of priority in how the standards are set out it might read somewhat more logically if sections 20 and 6 were at the beginning.

The term “Advocate” in the glossary we believe needs rephrasing as the definition appears more suited to someone who might, for example, be in a Guardian ad Litem position. Quite often and rightly the best advocate a child has will be the key-worker who obviously cannot be independent of the service.

April 10th 2010



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